

EXHIBIT C

**STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**ESTEBAN PEREZ, FELIPE GALINDO, and
DELFINO LOPEZ,**

17-CV-7837

Plaintiffs,

-against-

**50 FOOD CORP. (D/B/A SILO CAFÉ) and
ANDREW SUNG (AKA HWAN SEUNG SUNG),
Defendants.**

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AFFIDAVIT OF PLAINTIFF FELIPE GALINDO

1. My name is Felipe Galindo. I am a Plaintiff in the above referenced matter.
2. I began working at the Silo Café located at 31 East 32nd Street in September 2009. I understand that this business is known as “32 Food Corp.”
3. I worked at “32 Food Corp.” until the winter of 2013 when I was transferred to the Silo Café located at 805 Third Avenue, which I now understand is known as “50 Food Corp.”
4. Since the winter of 2013, I have continued to work at 50 Food Corp.
5. My job at 50 Food Corp. has been to be in charge of the grill area.
6. Throughout my employment at 50 Food Corp., I have worked under the direction of Manager Dennis, who I later learned is named Minchul Kim (“Kim”).
7. After I learned that I was being transferred to 50 Food Corp., I met with Kim at 50 Food Corp. at 805 Third Avenue.
8. During my first meeting with Kim, he told me that my schedule would be Monday through Friday from 6:00 a.m. through 4:00 p.m.
9. During this meeting, Kim also told me that I would receive the same weekly salary that I received during my employment at 32 Food Corp, which was \$480.00.
10. I earned \$480 per week for two years. In 2015, I began earning \$500 per week. In 2016, I began earning \$520 per week. I later received a final raise in the fall of 2017 of \$550, which is what I currently earn now.
11. Throughout my employment at 50 Food Corp., I was always paid in cash.

12. At the time of these raises, I never received any type of document confirming my new pay rate.

13. From the beginning of my employment at 50 Food Corp. through the beginning of 2016, I worked from Monday through Friday from 6:00 a.m. to 4:00 p.m.

14. Throughout my employment at 50 Food Corp., I typically took a thirty-minute lunch break.

15. After 2016, all of the workers had their hours cut.

16. After 2016, my schedule was Monday through Friday from 6:30 a.m. to 2:30 p.m., which remains my schedule now.

17. Beginning in 2016, with the change in the schedule, Kim began to have us sign a paper when we received our weekly pay.

18. Kim told us that we had to sign this paper in order to receive our pay.

19. After we signed the paper, Kim kept it and did not give us a copy.

20. After 2016, I recall Kim giving us stacks of "weekly payment reports" to sign.

21. I signed these weekly payment reports without verifying the information contained in these reports because I understood that in order to continue working and getting paid I had to sign these papers.

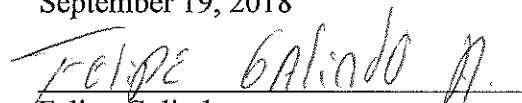
22. I do not recall signing a "weekly payment report" prior to the change in schedule in 2016.

23. In 2015 and 2016, I also signed a document that I later learned is called a "wage notice". I recall Kim handing me the "wage notice" and telling me to sign, but a lot of the information was left blank. I signed the "wage notices" because I understood that I had to in order to avoid problems at work.

I hereby swear under penalty of perjury that the above is true to the best of my knowledge and belief.

Dated: September 19, 2018

Signed:


Felipe Galindo

The individual known to me to be Felipe Galindo appeared before me this 19th day of September, 2018, and affixed his signature to this document above.

Signed:

Magdalena Barbosa
Notary Public

MAGDALENA BARBOSA Notary Public, State of New York Registration #02BA6251040 Qualified In New York County Commission Expires <u>11/19</u>

TRANSLATOR'S CERTIFICATE

I, Rebecca Rybaltowski, certify that I am fluent in both Spanish and English and that I have correctly and accurately translated this document from English to Spanish and that the above named person has assured me that he has understood this affidavit.

Dated: September 19, 2018

Signed:

Rebecca Rybaltowski

The individual known to me to be Rebecca Rybaltowski appeared before me this 19th day of September, 2018, and affixed his/her signature to this document above.

Signed:

Magdalena Barbosa
Notary Public

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